

III. REMARKS

1. Claims 1, 7, 10 and 11 are amended.
2. The claims are amended to address the rejections under 35 USC 112, first and second paragraphs.
3. Claims 1-4 and 6-14 are patentable under 35 USC 103(a) over the combination of Ben-Shachar et al., US 6,208,996 (hereinafter "Ben-Shachar"), Lewis et al., US 6,738,635 (hereinafter "Lewis") and Frederiksen (US 2002/0080186) and what is known in the art at least because the combination does not disclose or suggest a message generator that can generate a message associated with a scheduled event and define a recipient of the message as is claimed by Applicant.

The Examiner notes that Ben-Shachar does not disclose or suggest the above claimed features and refers to Lewis, Col. 9, lines 9-17. However, there is no disclosure here or elsewhere relating to "defin[ing] a recipient" as is claimed by Applicant. In Lewis, schedule data alert messages are queued on the server. The schedule data alert messages can be modified by the user. The schedule data alert messages reside on the server until sent to a subscriber. While the message can be modified by the user, there is no disclosure here or elsewhere that the user can "define" the recipient, as is claimed by Applicant. Lewis offers the feature of accessing user defined event related data and sending data related to that data to a wireless communication device. (Col. 2, lines 31-33).

Lewis allows a messaging originating entity 32 to provide data related to a scheduled event to a message receiving entity 34. (Col. 7, lines 43-46). The message originating entity 32 is a personal computer. (Col. 7, lines 56-57). The message generator claimed by Applicant is part of the transmitting "mobile communication device." Thus, Lewis cannot disclose at least this claimed feature.

The Examiner notes that the combination of Ben-Shachar and Lewis does not disclose and "event scheduling element" performing an application call to a message generator as claimed by Applicant. Frederiksen, which is relied on by the Examiner for this feature, only discloses that while the user is in a "Call" application, the "Call" application uses the editor application for entering the phone number. (para. 0113). Frederiksen does not disclose or suggest an "event scheduling element" as is claimed by Applicant. The Calendar application 109 depends on input from the editor application. (para. 0120). However, claim 1 recites that the application call is to a message generator that enables the operator to generate a message associated with a scheduled event and define a recipient. This is not disclosed or suggest by Frederiksen.

Therefore, claim 1 is patentable over the combination of Ben-Shachar, Lewis and Frederiksen. Claims 2-4 and 6 are patentable at least by reason of their respective dependencies.

4. Claims 7-9 and 14 are patentable under 35 USC 103(a) over the combination of Ben-Shachar, Lewis and Chou et al. (US 5902352, hereinafter "Chou"). Claim 7 recites a message generator application stored in the storage element and adapted to enable said operator to generate content of a message related to a scheduled event and configured to perform an application call to a transmission application adapted to process and pass the message, and to a timing application configured to record a predetermined time in a timing register, the timing application being adapted to notify the message generator application for causing transmission of said message to occur according to the predetermined transmission time.

The combination of Ben-Shachar, Lewis and Chou does not disclose the above-noted feature of claim 7 for reasons substantially similar to those described above with respect to claim 1.

Claims 8, 9 and 14 are patentable at least by reason of their respective dependencies.

5. Claim 10 is patentable under 35 USC 103(a) over the combination of Lewis, Ben-Shachar and Chou. Claim 10 recites features similar to those described above with respect to claims 1 and 7. These features of claim 10 are not disclosed by the combination of Lewis, Ben-Shachar and Chou for the reasons described above with respect to claims 1 and 7. Therefore, claim 10 is patentable over the combination of Lewis, Ben-Shachar and Chou.

6. Claim 11 is patentable under 35 USC 103(a) over the combination of Lewis, Ben-Shachar and Chou. Claim 11 recites features similar to those described above with respect to claim 10 and is patentable over the combination of Lewis and Chou for the reasons described above (see also the arguments for claims 1 and 7).

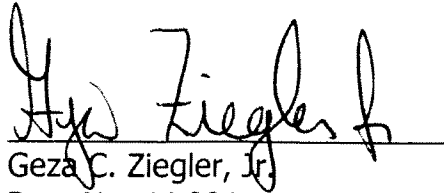
7. Claims 12 and 13 are patentable under 35 USC 103(a) over the combination of Ben-Shachar, Lewis, Frederiksen and Chou. Claims 12 and 13 depend from claim 1. The combination Ben-Shachar, Lewis and Frederiksen do not disclose or suggest all the features of claim 1 as described above. It is submitted that the combination of Ben-Shachar, Lewis and Frederiksen with Chou cannot as well. Thus, claims 12 and 13 are patentable at least by reason of their respective dependencies.

8. Claim 5 is patentable under 35 USC 103(a) over the combination of Ben-Shachar, Lewis, Frederiksen and Kawamoto et al. (US 7194558, hereinafter "Kawamoto"). Claim 5 depends from claim 1. The combination of Ben-Shachar, Lewis and Frederiksen does not disclose or suggest all the features of claim 1 for the reasons described above. It is submitted that combining Ben-Shachar, Lewis and Frederiksen with Kawamoto cannot as well. Thus, claim 5 is patentable at least by reason of its dependency.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Geza C. Ziegler, Jr.", written over a horizontal line.

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Date

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